

Decision Notice
& Finding of No Significant Impact

**Reauthorization of Livestock Grazing and Allotment
Management Plan Review & Revision
for the
Little Greys Cattle and Horse Allotment**

USDA Forest Service
Greys River Ranger District, Bridger-Teton National Forest
Lincoln County, Wyoming

This document includes both documentation of my decision in support of the Bridger-Teton National Forest Land and Resource Management Plan (i.e., Decision Notice) and documentation of the outcome of the National Environmental Policy Act process (i.e., Finding of No Significant Impact).

Background

On March 28, 2008, the Greys River Ranger District of the Bridger-Teton National Forest (BTNF) proposed to continue cattle grazing on the Little Greys Cattle and Horse Allotment with several adjustments to livestock grazing management. The environmental assessment (EA) documents the analysis of three alternatives.

LOCATION AND MAJOR COVER TYPES

The Little Greys Allotment is located east of Alpine, Wyoming, and it stretches more than two-thirds the length of the Little Greys River, encompassing approximately 16,325 acres of National Forest System lands. It is located within the south ½ of Township 37 North – Range 117 West and Township 37 North – Range 116 West, east ½ of Township 36 North – Range 117 West, and west ½ of Township 36 North – Range 116 West.

Dominant cover types on the Little Greys Allotment are mostly coniferous, mountain big sagebrush, grasslands, meadows, and riparian areas. Mountain shrubland and aspen also exist on the allotment. Most of the allotment is within Desired Future Condition (DFC) Classes 1B and 12, with small portions of the allotment in DFC Classes 3 and 10.

The Proposed Action was initiated in response to Section 504 (a) of the *1995 Rescissions Act* (Public Law 104-19), which requires the Forest Service to establish and adhere to a schedule for completion of *National Environmental Policy Act* (NEPA) analysis and decisions on all allotments.

PURPOSE OF AND NEED FOR ACTION

The purposes of and need for taking action are:

- To provide for the continuation of livestock grazing on the Little Greys cattle allotment in response to (1) desire by the existing permittees to continue livestock grazing on the allotment, and (2) management direction contained in the Forest Plan, the *Multiple-Use Sustained Yield Act*, and federal regulation (36 CFR 222 Subpart A, 222.2 (c)). The primary purpose of for authorizing continued livestock grazing on the allotment would be to contribute to achieving Forest Plan goals and objectives for livestock grazing use (Goal 1.1 and Objective 1.1(h)). This includes a need to provide a predictable supply of goods and services in a manner that is consistent with other resource management direction and uses.
- To update allotment management direction so that livestock grazing is managed to (1) allow for resource conditions to remain at desired conditions defined by the Forest Plan, Forest Service directives, and other legal and regulatory direction; and (2) where not at desired levels, allow for the restoration and recovery of desired conditions in a timely manner. The “Resource Management Needs” subsection, in the EA, identifies resource conditions that are below desired levels (need for action) that provided focal points for developing the proposed action, particularly the allowable-use standards and required management actions.
- To be in compliance with the *1995 Rescissions Act* (Public Law 104-19). The Proposed Action was developed in response to Section 504 (a) of the *1995 Rescissions Act* (Public Law 104-19), which requires the Forest Service to establish and adhere to a schedule for completion of *National Environmental Policy Act* (NEPA) analysis and decisions on all allotments. The Little Greys Allotment is on the regional grazing authorization schedule to be completed this fiscal year (2009).

The purpose of and need for action is described in more detail in the environmental assessment (EA).

Decision

Based upon my review of all alternatives, the ability of alternatives to achieve Forest Plan direction, environmental effects analysis, and public issues, I have decided to (1) authorize continued livestock grazing on the Little Greys Allotment, (2) adopt the objectives (listed in the EA), and (3) implement the management strategy, monitoring program, and all other elements of Alternative 3. Changes to cattle numbers and season of use are beyond the scope of this decision, but they may be changed administratively over time as necessary to meet the allowable-use standards of Alternative 3 and to achieve resource objectives.

ADDITIONAL MITIGATION MEASURES

I have decided to adopt and implement the following mitigation measures:

- Noxious weed control will continue to be carried out as an important measure for mitigating contributions of livestock grazing to the introduction, maintenance, and spread of noxious weeds.

- Adverse effects that could result from new water developments will be mitigated by (1) locating water troughs at least 300 feet from perennial stream channels and wetlands, and where possible, intermittent channels; (2) diverting only a portion of the water flow; (3) returning overflow from troughs back to the spring channel; and (4) fencing the spring and return flow.

Rationale for Decision

My decision was based on the Forest Plan and other management direction referenced in the *Purpose of and Need for Action* of the EA (and summarized in Appendix A of the EA) in conjunction with the best available science pertinent to this direction. In addition, I relied heavily on the results of the environmental effects analysis as well as public input.

RATIONALE RELATIVE TO DECISION FRAMEWORK

The following subsections explain the rationale for selecting Alternative 3 and not Alternatives 1 and 2. The questions are listed in priority order, with the priority of 2a and 2b differing depending on the Desired Future Condition (e.g., DFC 12 vs. DFC 1B) in the allotments, as explained below.

Forest Plan Direction

The National Forest Management Act requires that all projects and activities on national forests be consistent with Forest Plans. The highest-level direction is provided in goals and objectives, and this direction is stepped down to standards, prescriptions, and guidelines, some of which differ among DFC areas. The Forest Plan recognizes that there are some conflicts among Forest Plan objectives and that not all objectives can be achieved to the same level on the same area. It specifies that any such conflicts need to be resolved in accordance with direction provided in Desired Future Condition sections of the Forest Plan. Conflicts among Forest Plan objectives must be resolved in favor of the objective(s) for resources/uses that are of higher emphasis in a particular DFC. The Neck, River, and McCain pasture and half of Steer Creek pasture are within DFC 12, and the remaining half of Steer Creek, Blind Trail, and Stewart Creek pastures are within DFC 1B. DFC areas 3, 9B, and 10 also exist within the allotment, but are only represented to a minor extent.

- 1. Does the alternative contain sufficient direction in terms of resource objectives, allowable-use standards, required management practices, optional management practices, and monitoring to adequately allow for the maintenance of and, where conditions currently are less-than-satisfactory, restoration of rangeland and riparian health and functionality?***

Answer:

Yes. Alternative 3 would adopt the resource objectives for rangelands and riparian areas outlined in the EA. Resource objectives were developed to meet direction provided in Forest Plan objectives, standards, prescriptions, and guidelines pertaining to rangeland and riparian health and functionality. The Forest Plan requires the agency to provide for the protection and restoration of the basic resources of soil, water, and the vegetation necessary for their protection and sustainability. Also, uses of the BTNF must be managed so they do not prevent the recovery of these basic resources or cause these basic resources to decline in condition. Resource objectives were developed to be consistent with desired conditions defined in FSH 2209.22.1, RMRS-GTR 104, Greys River

Landscape Scale Assessment, and Middle Greys River Watershed Assessment, and other relevant scientific information.

Allowable-use standards and required cattle management practices of Alternative 3 were designed in part to allow (1) allow resource conditions in functioning condition to remain in functioning condition over the long term; and (2) allow resource conditions to improve in areas where that are currently below properly functioning condition (riparian areas), or are functioning at risk or non-functioning (rangelands).

Effectiveness (long-term) monitoring will be important because information obtained from this effort will be used to determine whether resource objectives are being achieved and, if not, whether progress is being made toward their achievement. If trends are not upward, Alternative 3 contains mechanisms to achieve upward trends in vegetation cover and plant species composition.

2a. Does the alternative contain sufficient direction in terms of resource objectives, allowable-use standards, required management practices, optional cattle management practices, and monitoring to (a) restore and sustain adequate amounts of suitable wildlife habitat over the long term, and (b) retain adequate amounts of suitable wildlife forage and cover on a year-to-year basis?

Answer:

Yes. A central part of the resource objectives for wildlife habitat would be met to the extent that the resource objectives for rangelands and riparian zone are met (discussed above). Given the themes and management emphasis of DFC area 12, it is imperative that riparian areas and rangelands be managed to sustain healthy conditions where they currently exist, to allow recovery where conditions are below properly functioning condition, to retain an adequate amount of suitable wildlife forage and cover (addressed below), and to allow vegetation treatments benefiting wildlife and other resources to occur.

- The theme of DFC 12 is “An area managed for high-quality wildlife habitat and escape cover, big-game hunting opportunities, and dispersed recreation activities.” The “Management emphasis is on providing important habitat for big-game as winter ranges, feedgrounds, calving areas, and security areas...”

An important part of the objectives for wildlife is to annually retain an adequate amount of forage, cover, and other habitat elements for wildlife on a year-to-year basis, including years of below-average precipitation. Objectives and allowable-use standards define the necessary amount of herbaceous vegetation that need to be retained.

Suitable forage, cover, and other habitat elements also need to be retained in DFC 1B areas, according to the Forest Plan, but does so at somewhat lower level given the greater emphasis on livestock grazing use in this DFC area.

2b. Does the alternative adequately provide for a reasonable level of forage to be provided for cattle in order to reasonably contribute toward the achievement of Objective 1.1(h) for the Bridger-Teton National Forest?

Answer:

Yes. A key part of the decision was to continue livestock grazing and to reauthorize cattle grazing at permitted numbers and season of use. This supports Forest Plan objective 1.1(h) (to provide forage for about 260,000 Animal Unit Months (AUMs) of livestock grazing annually on the BTNF). In developing Alternative 3, a concerted effort was made to maintain a high level of forage being made available to cattle within the

constraints imposed by the topography in the allotments, distribution and acreage of vegetation types, ecological condition of riparian areas and rangelands, maintaining and restoring the long-term productivity of the land, the need and requirements to allow damaged rangelands to recover, and the need and requirement to retain an adequate amount of suitable forage and cover for wildlife.

Forest Plan Objective 1.1(h) is emphasized to a greater extent than wildlife objectives of the Forest Plan on DFC 1B areas:

- The theme is “An area managed for timber harvest, oil and gas, and other commercial activities with many roads and moderate to occasional substantial emphasis on other resources.” The “Management emphasis is on scheduled wood-fiber production and use, on livestock production, and on other commodity outputs.”

While livestock grazing use is emphasized over wildlife when there are conflicts, the Forest Plan requires that wildlife objectives be met to some extent (e.g., page 149 of Forest Plan, BTNF-wide standards for wildlife).

Best Science

The Forest Service is required to ensure that decisions are consistent with the best available scientific information.

3. *Are the objectives and management direction (e.g., allowable-use standards, required management practices) consistent with the best available science?*

Answer:

Yes. As discussed above and as can be seen in the project record, resource objectives and allowable-use standards, were developed to be consistent with the best available science, and that the analysis is consistent with the best available science.

Other Issues

4. *Does the alternative adequately address other issues identified during agency and public scoping, to the extent warranted and not inconsistent with items 1-4 above?*

Answer:

Yes. Additional issues identified during scoping concerned the potential effects of alternatives on the local economy and open space. Alternative 3 would not change permitted cattle numbers or season of use. Originally, the alternative included a provision to reduce the permitted season of use by 20 days, but after concerns were raised by the permittees, this provision of the alternative was dropped. A response to public input was prepared and this is in the project record. Cultural resources in the area was identified as a potential issue, but after investigation was found to not warrant a detailed analysis in the EA.

ALTERNATIVES CONSIDERED

Including the selected alternative, I considered three alternatives. A summary comparison of these alternatives is shown in Table 1, below. A more detailed comparison of these alternatives can be found in the EA.

Alternative 1 — Current Management

Under Alternative 1, current management would continue into the future. The maximum forage utilization standards of the Forest Plan would remain as the forage utilization standards.

Alternative 2 — No Livestock Grazing

Permitted livestock grazing would be discontinued on the Little Greys Allotment under this alternative, as livestock grazing would not be reauthorized.

Alternative 3 — Modified Proposed Action

This alternative would modify allowable-use standards to ensure that Forest Plan objectives can be achieved relative to direction in the DFC section of the Forest Plan.

Table 1. Summary of Alternatives.

Elements of Livestock Grazing Mgt.	Alternative 1 Current Management	Alternative 2 No Cattle Grazing	Alternative 3 Mod. Proposed Action
Reauthorization	Yes	No	Yes
Permitted Cattle Numbers^A	558	0	558
Permitted Season-of-Use^A	6/15 – 10/7	n/a	6/15 – 10/7
Grazing System	Deferred-Rotation	n/a	Def. Rotation
Allowable-Use Standards			
<i>Riparian Areas</i>			
Min. Ave. Stubble Height (green-line)			
- Sedges and Grasses	4-6 inches, variable	n/a	—
- Sedges	—	n/a	6"
- Grasses	—	n/a	4"
Max. Bank Shearing / Hoof Action	—	n/a	≤20%
Max. Utilization Standard ^B			
- Key Forage Species	≤65% (satisfactory cond.) ≤55% (unsatisfactory Cond.)	n/a	≤40% (DFC 12) ≤45-50% (DFC 1B)
- Herbaceous Vegetation (total)	≤50-55% (satisfactory condition) ≤40-55% (unsatisfactory cond.)	n/a	≤30% (DFC 12) ≤35% (DFC 1B)
Rangelands			
- Key Forage Species	≤60% (satisfactory cond.) ≤50% (unsatisfactory Cond.)	n/a	≤45-50% (DFC 1B) ≤40% (DFC 12)
- Herbaceous Vegetation (total)	≤50-55% (satisfactory condition) ≤40-55% (unsatisfactory cond.)	n/a	≤35%
Structural Improvements			
<i>Fences</i>	existing	existing	up to 5 new
<i>Water Developments</i>	existing	existing	up to 6 new

^A Permitted numbers and season of use are shown in grey because this element of the AMP is beyond the scope of this decision.

^B Standards are shown in regular text and conversions are shown in smaller, italicized text for comparison purposes. The forage utilization standard in Alternative 1 is for key forage species, and the forage utilization standard in Alternative 3 is for total herbaceous vegetation which is used in the landscape appearance method for monitoring forage use.

ABILITY TO MEET FOREST PLAN DIRECTION & ENVIRONMENTAL EFFECTS ANALYSIS

I considered the ability of each alternative to meet Forest Plan direction and the environmental effects of the three alternatives. The ability to meet Forest Plan direction and potential

environmental effects of the alternatives are summarized and compared in the EA and detailed in specialist reports.

Alternative 1

Of the three alternatives, Alternative 1 would contribute most to achieving Forest Plan Objective 1.1(h) and would have the least impacts on socio-economic issues pertaining to agricultural production, as it would have the least constraints on livestock grazing on the allotment. However, this alternative would contribute least to achieving resource objectives of the Forest Plan, would not meet some of the direction in the Forest Plan, and would have the highest level of adverse environmental effects of any of the alternatives. While progress has been made in the last 60 years of livestock management on the Little Greys Allotment and while resource objectives are being achieved in parts of the allotment, problem areas persist in other parts of the allotment. In large part, this is due to the insufficiency of current livestock management controls (e.g., allowable-use standards).

Forage utilization standards are not supported by available science relative to rangeland health and retaining wildlife habitat, and application of stubble height criteria has been inconsistent. In short, there is little if any information to demonstrate that allowable-use standards and other management controls of this alternative are sufficient to achieve Forest Plan objectives for riparian areas, rangelands, and wildlife on the Little Greys Allotment. For example, streambank stability would remain an issue in several drainages and, while ground cover on many rangelands is meeting objectives, it may remain below objective on many other rangelands. Head-cuts would continue to work their way up-gradient. An adequate amount of suitable wildlife forage and cover is retained in many years on the allotment, but an inadequate amount is retained in years of below-average precipitation. Periods of below-average precipitation are particularly hard on some species of wildlife.

Alternative 2

Alternative 2 would not contribute to Objective 1.1(h) of the Forest Plan and, therefore, is inconsistent with direction provided for DFC 1B areas. Also, direction in the Forest Plan for DFC 12 areas recognizes that livestock grazing can be compatible with big game habitat in many situations. However, this alternative would contribute the most of any alternative to achieving resource objectives of the Forest Plan. This alternative would result in few if any adverse impacts to the environment.

For example, streambank stability would improve in the absence of cattle, which would allow properly functioning conditions to return faster than under Alternatives 1 and 3. Ground cover would increase on rangelands, which would benefit watersheds, wildlife, and other resources. The rate of head-cutting would slow and areas damaged by head-cuts would recover. An adequate amount of suitable wildlife forage and cover would be retained every year, except that parts of the allotment that are below properly functioning condition may not fully contribute toward this until they recover.

Alternative 3

Alternative 3 would contribute to achieving Forest Plan Objective 1.1(h) to a similar degree as Alternative 1 since implementation of Alternative 3 would not change permitted cattle numbers

or season of use. Any future adjustments in numbers or season of use would be done administratively if and when effectiveness and implementation monitoring indicated that this was needed. Alternative 3 would contribute to achieving resource objectives of the Forest Plan, although not to the extent of Alternative 2. Allowable-use standards, required management practices, and optional cattle management practices would be sufficient for resource objectives of the Forest Plan to be achieved while also allowing substantive livestock grazing to continue. Allowable-use standards would play a central role in the management of cattle grazing under this alternative. The management strategy is designed to be flexible, allowing for a large number of optional practices to be implemented as needed to maintain access by cattle to forage resources while also ensuring protection of riparian, rangeland, and wildlife resources.

Streambank stability would improve with more conservative allowable-use standards, compared to Alternative 1, but not as quickly as would occur under Alternative 2. Ground cover would increase on rangelands, although not as quickly as would occur under Alternative 2. Ground cover on some areas may not attain the same level as would occur under Alternative 2, but ground cover under Alternative 3 would meet objectives. The rate of head-cutting would slow somewhat and areas damaged by head-cuts would recover quicker than would occur under Alternative 1 in part because more herbaceous vegetation would be retained in dry years. The addition of five temporary electric fences and six water developments would have no more than minor adverse effects and would result in a net benefit to resources due to better control of cattle and fencing cattle out of the springs. An adequate amount of suitable wildlife forage and cover would be retained every year, except that parts of the allotment that are below properly functioning condition may not fully contribute toward this until they recover.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

My decision to implement Alternative 3 is consistent with other pertinent laws, executive orders, regulation, and policy, as summarized below. Continued livestock grazing on the Bear Creek, Virginia Peak, North Salt, and South Salt allotments as specified in Alternative 3 is consistent with:

- Requirements of the Migratory Bird Treaty Act and Executive Order 13186, which outline responsibilities of federal agencies to protect migratory birds and to incorporate bird conservation measures into land management practices, including livestock grazing practices. Based on an assessment of potential effects on migratory birds, the Greys River District wildlife biologist concluded that the constraints on cattle grazing under Alternative 3 (including provisions facilitating vegetation treatments) and measures to ensure they are implemented will (1) allow continued progress toward desired habitat conditions, which would benefit migratory birds over time, (2) not result in any significant adverse impacts relative to baseline conditions, and (3) retain an adequate amount of suitable forage and cover for migratory birds on a year-to-year basis.
- Requirements of the Endangered Species Act of 1973 — The Greys River District wildlife biologist assessed potential impacts of Alternative 3 on threatened and endangered species and their habitats, and concluded that there would be “no effect” on threatened, endangered, and candidate species, and that Alternative 3 will likely not jeopardize the continued existence of the gray wolf experimental population.
- Requirements of the Clean Water Act of 1972, as amended in 1977 and 1987 — The constraints on cattle grazing under Alternative 3 and measures to ensure they are

implemented will ensure that cattle grazing on the allotment comply with this Act through the use of Best Management Practices.

- Requirements of the National Historic Preservation Act of 1966, as amended, in 1999 — A cultural resource review was completed by the Forest Service Archeologist. Results indicated there would be no adverse effects to the historical cultural resources of the area. The Forest Service Archeologist has cleared Alternative 3. SHPO did not object with this recommendation.
- Requirements of Executive Order 12898 (Environmental Justice). This executive order requires consideration of whether actions would disproportionately impact minority or low-income populations. Public involvement occurred for this project, the results of which I have considered in making my decision. Public scoping did not identify any adversely impacted local minority or low-income populations. This decision is not expected to adversely impact minority or low-income populations.

Public Involvement

The proposal was listed in the Schedule of Proposed Actions on October 1, 2007, January 1, 2008, and April 1, 2008. Public scoping and an opportunity for the public to review and comment on the Proposed Action were provided from March 28, 2008 to April 28, 2008. A legal notice was published in the Casper Star-Tribune (newspaper of legal record) on March 28, 2008. In addition, an article was published about the proposal and opportunity for the public input in the local newspaper (Star Valley Tribune) on April 3, 2008 and it was announced on the local radio (KRSV) on April 2, 16, and 28, 2008.

We received 6 comment letters from local and state agencies and universities, 1 comment letter from the permittees, 2 comment letters from organizations, and 13 comment letters from individuals. This input was used to refine issue statements and to add elements to issue statements regarding the effects of the proposed action and other alternatives. The four categories of issues analyzed in depth are as follows (these issues, including individual elements of each, are described in more detail in the EA):

1. Potential effects of alternatives on the health and functioning of streams, riparian areas, and moist vegetation types such as meadows, silver sagebrush, and willow.
2. Potential effects of alternatives on the health of rangelands and aspen stands.
3. Potential effects of a decision to not reauthorize cattle grazing on the local economy and culture.
4. Potential effects of alternatives on wildlife habitat and wildlife. This issue includes potential effects on the amount of suitable wildlife forage and cover.

To address these concerns, the Forest Service developed the alternatives described earlier.

Finding of No Significant Impact

After considering the environmental effects described in the EA, I have determined that Alternative 3 will not have significant effects on the quality of the human environment

considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared. I based my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action (e.g., benefits of continued livestock grazing to the livestock industry).
2. There will be no significant effects on public health and safety, because the allowable-use standards and required cattle management practices of Alternative 3 are sufficient to prevent adverse impacts to water quality of the Little Greys River. This river is not within a municipal watershed.
3. There will be no significant effects on unique characteristics of the area, because (a) the project area does not contain, nor is it adjacent to any Wilderness, Wilderness Study Areas, Wild and Scenic Rivers, Research Natural Areas, or National Recreation Areas; (b) continued livestock grazing and management will have no impact on the roadless character of the area; and (c) there are no known American Indian religious or traditional cultural properties that can be affected by livestock grazing in the project area. The allotment encompasses floodplains in many of the tributaries of the Little Greys River, and the allotments encompass a scattering of small, isolated wetlands. Allowable-use standards are sufficient to protect streambank stability.
4. The effects on the quality of the human environment are not likely to be highly controversial. While some controversy exists — e.g., some people would like to see more livestock grazing and some people would prefer that livestock grazing be eliminated — there is no known scientific controversy over the impacts of Alternative 3.
5. We have considerable experience with managing cattle grazing activities, and the effects analysis shows the uncertainty of effects is low and do not involve unique or unknown risk.
6. The action is not likely to establish a precedent for future actions with significant effects, because Alternative 3 contains sufficient and specific direction in terms of resource objectives, allowable-use standards, required management practices, and monitoring in order to (a) adequately allow for the maintenance of and (b) restoration of desired conditions for rangeland and riparian functionality and wildlife habitat where conditions currently are less-than-satisfactory. If the same objectives and cattle management practices were to be adopted on other allotments, they would not contribute to significant adverse effects. Conversely, the objectives and management practices would contribute to enhanced recovery and sustainability of desired conditions.
7. The cumulative impacts are not significant because Alternative 3 contains sufficient management controls to ensure (a) stable trends in riparian areas and rangelands that are in properly functioning condition, and (b) upward trends in riparian areas and rangelands that currently are below properly functioning condition. Compared to existing conditions and current management (Alternative 1), Alternative 3 would not result in any adverse impacts that would cumulatively contribute to significant adverse impacts.

8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places, nor will it cause the loss or destruction of significant scientific, cultural, or historical resources. Further detail can be found in the Forest Archeologists findings. SHPO did not disagree with these findings.
9. Alternative 3 will not adversely affect any endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species act of 1973 because, in part, livestock grazing use and management under Alternative 3 would not hinder efforts to restore a natural mix of age classes in forested and non-forested vegetation types, which is important for providing habitat for Canada lynx on the Greys River Ranger District. Sufficient measures are included in the alternative to allow prescribed burns to be carried out and for wildland fire use to be implemented on the allotments as appropriate. Furthermore, the alternative will not adversely affect Region 4 sensitive species relative to existing conditions. Sufficient constraints and control mechanisms are included in Alternative 3 to protect riparian zones and wetlands (e.g., habitat for spotted frogs, chorus frogs) from adverse effects. If allowable-use standards are found to not retain an adequate amount of suitable cover for spotted and chorus frogs, Alternative 3 contains a provision to adjust the allowable-use standard as needed to ensure that an adequate amount of suitable cover is retained.
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment (see the “Findings Required by Other Laws and Regulations” subsection in the “Rationale for Decision” section, above, for more detail). The action is consistent with the Forest Plan, as described in the “Forest Plan Direction” subsection of the “Rationale for Decision” section, above.

Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Administrative Review or Appeal Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215.

The Appeal Deciding Officer is Kniffy Hamilton, Forest Supervisor. Appeals must be sent to: Appeal Deciding Officer, Bridger-Teton National Forest, P.O. Box 1888, 340 N. Cache, Jackson, WY 83001; or by fax to 307-739-5010; or by e-mail to: appeals-intermtn-regional-office@fs.fed.us. Emailed appeals must be submitted in rich text (.rtf) or Word (.doc) form. Documents in other formats (.tif, .jpg, .pdf, etc..) should be printed and mailed. Appeals may also be hand delivered to the above address during regular business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday.

In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of this notice in the Casper Star-Tribune, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Casper Star-Tribune, newspaper of record, is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted substantive comments during the comment period specified at 215.6 may appeal this decision. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Contact

For additional information concerning this decision or the Forest Service appeal process, contact Don DeLong, Program Manager for Wildlife, Range, and Lands, Greys River Ranger District, P.O. Box 339, Afton, Wyoming 83110 (307-886-5300).

Jay L. Dunbar
Jay L. Dunbar
District Ranger
Greys River Ranger District

9-11-09

Date

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